

AB 438 - COUNTY LIBRARY SYSTEM WITHDRAWAL (WILLIAMS)

On February 14, 2011, Assembly Member Das Williams introduced AB 438 following the decision by a City in California to withdraw from the county library system pursuant to the provisions of State law. According to the Los Angeles County Public Library, this bill is the result of the community’s reaction to the lack of a fully participative process prior to the City Council’s decision to withdraw from the County’s library system despite extensive public opposition. AB 438 would require that a city or board of trustees of a library district that intends to have its libraries operated by a private company to have its formal notice of withdrawal to a county board of supervisors preceded by voter approval at a regularly scheduled election.

According to the County Public Library, as introduced, the intent of the bill supports the rights of the community to have a voice in whether they want to receive library services from the County or a private contractor; however, it does not address certain existing withdrawal provisions applicable to the counties of Los Angeles or Riverside. Nor does it provide a community voice when cities wish to leave a County public library system.

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MOTION

MOLINA	_____
RIDLEY-THOMAS	_____
YAROSLAVSKY	_____
KNABE	_____
ANTONOVICH	_____

Existing law defines a process for a city or library district within the counties of Los Angeles or Riverside to withdraw from the county library system. The withdrawal provisions stipulated in existing law disadvantages the rights of these counties and require the county sell to the city or library district the library facilities, furniture and equipment, and the library collection regardless of the whether it is in the counties' or the communities' best interest. There is no sound reason for the counties of Los Angeles and Riverside to be subject to a different withdrawal process than the process followed by the other fifty-six counties in California, as defined in existing law.

Public libraries are an essential asset to every community because they allow all citizens have access to free information, knowledge and life long learning. The best interests of the community are served when the voters can participate in the decision making process for library services.

I, THEREFORE, MOVE that the Board of Supervisors:

1. Support AB 438 if amended, to remove the existing withdrawal provisions that only apply to the counties of Los Angeles and Riverside;
2. Request the bill's author to expand voter approval requirement to any cities that wish to withdraw from a County public library system;
3. Direct the Chief Executive Office to work with the County Public Library to recommend remedies to the withdrawal provisions in existing law; and
4. Instruct the County's legislative advocates in Sacramento to advocate for the passage of AB 438 if amended, and to notify the Board of any substantive revisions that modify the intent of the current bill.

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